

Appln No. 10/747,774
Amdt date March 11, 2009
Reply to Office action of December 11, 2008

REMARKS/ARGUMENTS

In the Final rejection dated December 11, 2008, the Examiner rejected claims 1, 2 and 10-16 under 35 U.S.C. §103(a) as allegedly obvious over Eggers, et al. (U.S. Patent No. 6,047,700) in view of Tu, et al. (U.S. Patent No. 5,971,968). However, Applicant has amended independent claim 1 to recite that the tip electrode is configured to ablate tissue to form a lesion. Eggers fails to teach or suggest such a feature. In fact, Eggers specifically and explicitly teaches away from the ablation of tissue. See column 2, lines 38-64 (highlighting the disadvantages of tissue damage and emphasizing the need to minimize such damage). As Eggers specifically teaches away from the ablation of tissue, and Tu teaches ablation catheters, those of ordinary skill in the art would not look to Tu for ideas regarding the improvement of the Eggers device. As such, independent claim 1, and all claims dependent therefrom, including claims 2 and 10-16, are allowable over Eggers and Tu.

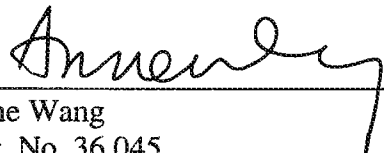
The Examiner also rejected claims 3-9 and 17 under 35 U.S.C. §103(a) as allegedly obvious over Eggers and Tu in view of one or more of Alt (U.S. Patent No. 5,411,527) and Lucas, et al. (U.S. Patent No. 5,795,332). However, Applicant has amended independent claims 3, 7 and 17 to recite that the tip electrode is configured to ablate tissue to form a lesion. As discussed above, Eggers teaches away from the ablation of tissue, and therefore those of ordinary skill in the art would not be motivated to combine the teachings of Eggers with the ablation catheters of Tu. Neither Lucas nor Alt, either alone or in combination with either Eggers or Tu disclose all of the limitations of independent claims 1, 3, 7 and 17. Accordingly, independent claims 1, 3, 7 and 17, and all claims dependent therefrom, including claims 2, 4-6 and 8-16, are allowable over Eggers, Tu, Alt and Lucas.

Claims 1-17 remain pending in this application. By this amendment, Applicant has amended claims 1, 3, 7 and 17 to place the claims in condition for allowance. The amendments find full support in the original specification, claims and drawings, and no new matter is presented. In light of the above amendments and remarks, Applicant submits that all of pending claims 1-17 are in condition for allowance. Applicant therefore respectfully requests

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reconsideration and a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
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